

**Transcript of Webchat on Immigrant Visas
October 29, 2010**

U.S. Embassy Tegucigalpa: Welcome to U.S. Embassy Tegucigalpa's webchat on Immigrant Visas. The webchat will go live on Friday, October 29th from 10 am to 11 am (12 pm EDT). At this time, Vice Consuls from the Immigrant Visa Section will be available to answer your questions regarding the immigrant visa process. This webchat is intended to assist U.S. Citizens and U.S. Legal-Permanent Resident and their families, obtain more information on the immigrant visa process. Please feel free to start submitting questions at any point prior to Friday.

Vice Consul 1: Thank you for joining us for this online discussion on immigrant visas. Some of you posted questions already while others we hope are writing more questions for us to answer. Before we get to the questions, I would like to remind you that this discussion is for immigrant visas only. If you or someone you know desires to travel to the United States as a tourist, to visit relatives, or for business purposes, you need a non-immigrant visa. Immigrant visas are for those people who are moving to the United States to live permanently. The easiest way to learn about immigrant visas and the visa process is to visit the embassy website at <http://honduras.usembassy.gov> where we explain the different types of visas that are available, who is eligible to receive those visas, and the process for petitioning for and obtaining the visas. If you have questions about immigrant visas in general or about your specific case, we can be reached in person, by phone, fax, or by e-mail. If you are an American citizen, you can come in person to the Embassy, located on Avenida La Paz in Tegucigalpa, Monday through Thursday at 9:30 a.m. We can be reached by phone in Honduras at 238-5144 ext. 4287, or, if calling from the U.S., at 011-504-238-5144, ext. 4287. Our fax number is 221-1060 (011-504-221-1060 from the U.S.). We can also be reached by e-mail at tggiv@state.gov. If you have a question about a specific case, please include the full name of the visa applicant and the case number so we can find the information you are seeking. Due to the high demand of phone calls every afternoon, you may have to try more than once to reach one of the section's personnel. If during this webchat you send us a question about a pending immigrant visa case, please note for privacy purposes we will eliminate personal information and try to answer the question for the general audience. If your question was still not answered to your satisfaction, please feel free to contact us using one of the means listed above.

Pedro Riddle: My girlfriend had an appointment with her son on 10/26/2010 and she was upset because the person who interviewed her never gave her a chance to provide supporting documents that I would support her visitation while they are staying at my residence. I am a United States Citizen and employed as a Richmond City Police Detective in the State of Virginia. I want to spend time with them during the holidays. The interviewer made his decision before seeing any documentation.

Vice Consul 1: Mr. Riddle, for questions regarding non-immigrant visas, please visit the non-immigrant visa section on our website at <http://honduras.usembassy.gov> or via e-mail at tggniv@state.gov

Ricardo Gomez: Hello IV Staff. I have a question? Can you please tell me how long does the I-601 waiver process takes?

Vice Consul 1: Once the I-601 visa waiver package is completed, the Immigration Visa section forwards the documents to the Department of Homeland security for review. A response on the waiver request can take anywhere from six to nine months.

Ernesto Ruiz: after you submit all your paperwork to the US embassy. How long before you get a response?

Vice Consul 1: Once the U.S. Embassy receives your paperwork, the processing time is approximately two weeks. Once the visa is approved, the beneficiary will receive a phone call with further instructions.

Guest 2: If we live in San Pedro, can the Police Certificate be from the DIC here or must we get it in Tegucigalpa?

Vice Consul 2: It is required to bring in the police certificate from the district that you live in. So for example, if you live in San Pedro Sula you would need to present a police certificate from San Pedro Sula.

Jorge Hernandez: Dear Sir/Madam: I am a US citizen on October 5th I received notice that my wife's petition was approved and was sent to NVC How long is the process and how long before its transfer to the embassy in Tegucigalpa.

Vice Consul 1: The length of the process depends on many factors and on the classification of the visa that is being sought. On average, however, the process for minor children, spouses, or parents of American Citizens will take about 10 months, For all other classification, the process will take a number of years.

Guest 2: Package 4 says that all documents need to be originals. I am the petitioner and I do not have my original birth certificate from Alabama. Will a certified copy from the Alabama state department suffice? My state does not re-issue original birth certificates.

Vice Consul 2: Whenever an original document from the United States is required a certified copy will be accepted in its place. We require documents available in Honduras to be originals in most cases.

Guest 2: I am a US citizen legally residing in Honduras. My husband and I live and work as missionaries. My income each year is about 17, 000 which obviously falls below the poverty line. 1.) Can my father (us citizen in Alabama) be a joint sponsor with the I-864 A form? 2.) Do I, the petitioner, still need to fill out an I-864-A form?

Vice Consul 1: As the petitioner, you will need to submit an I-864 (Affidavit of Support). Your father may be able to submit the I-864 A form only if he physically resides in the same household. If he does not, he will need to submit a separate I-864 form.

Julia Ferrera: My husband did not show to court hearings given by DHS. Would you please help me by understanding that a reasonable cause must be taken into consideration to avoid been denied as 6BR? He lost communication with his relatives because they did not want to get in trouble with DHS and they declined receiving letters from DHS.

Vice Consul 2: Thank you for your question. For information purposes an applicant will be refused under the 6BR section of US immigration law if they were supposed to attend an immigration court hearing and failed to attend for any reason. To overturn a 6BR refusal, requires establishing reasonable cause.

Reasonable cause includes things that happen on the actual day of the hearing that were beyond the control of the applicant. Simply not receiving the notice to appear does not qualify as reasonable cause for missing a court hearing.

Ramona Lagos: At the time of my interview, I was asked for the birth certificate in literal form. I am not sure what this is, or where I can request it.

Vice Consul 1: The birth certificate in the literal form is the long form of the birth certificate in Honduras. The literal form can be requested through the RNP (Registro Nacional de Personas)

Karen: If a visa was approved but the beneficiary has to wait out a 5 year banned, is it possible to process the I601 and I212 within three months before the next interview date

Vice Consul 2: An applicant must wait for the ban to expire before they can come in for their next interview or submit for the waiver.

Julia Ferrera 2: My son was interviewed on March 2010 pending an administrative review regarding a couple of tattoo's he has. Is there a timeframe to receive a response?

Vice Consul 1: At this time, there is no set timeframe for administrative processing since every case is different. We can assure you we are working diligently to process your case and will be in contact with you as soon as the process is complete.

Ramona Lagos: My son had his visa appointment a month ago and we were asked to provide more proof of relationship. Unfortunately, we don't have any photos. What can we do?

Vice Consul 2: If all options have been exhausted in trying to prove a biological relationship, such as photos, remittances receipts other documents, then a family can choose to do a DNA test. In most cases the petitioner will take their sample in the US and the beneficiary will need an appointment to come back into the Embassy.

Ricardo Gomez: Is there any specific telephone hours that you attend or certain days?

Vice Consul 2: Telephone calls are answered Monday through Thursday between the hours of 2:30pm and 4:30pm. We receive a high volume of calls so please be patient. Another option is to send us an email to tggiv@state.gov and we will get back with you in three business days

Mrs. Pineda: I am getting ready to schedule my medical exams but I am not sure where I can make the appointment.

Vice Consul 1: For more information on the medical exam process, please visit our website, <http://honduras.usmebassy.gov> under the immigrant visa section, information on medical exams.

Cecilia: Hello, my question is as follow: I am a US citizen I have filed for my husband a native of Honduras. Can we in any way adopt his younger sister (15) and bring her to the USA?

Vice Consul 1: Unfortunately, adoption is not an option. Once your husband's visa is approved and he becomes a legal permanent resident in the U.S., he may petition for his sister.

Michele: Should we be worried that my husband's clearance of his tattoo (not gang related) is still pending since March 2010 when we had the interview at the Embassy? Is this typical? We still have to wait after the tattoo is cleared to be put on the Waiver List for processing of the Waiver then processing of the Visa?

Vice Consul 2: We process each case individually. Some cases take longer than others to process. Cases like this are routinely placed under administrative processing until such time that we have completed all the required actions. Once all actions have been completed only then can we submit the package the Department of Homeland Security for waiver processing.

Alicia Rios: I am a U.S citizen and I filed a petition for my daughter, but since there is a problem with her birth certificate, INS will not approve the case until I do a DNA test with her. I contacted a lab here in the U.S. and sent the kit to the Embassy. When will my daughter be called for the Embassy to collect the sample?

Vice Consul 1: It appears that your I-130 petition has not yet been approved by DHS pending additional proof of relationship. DHS does not require DNA testing, but provides it as an option. At this point of the petition process, you may want to consider providing additional evidence of the proof of relationship, photos, baptism records, school records, etc. Please note, the U.S. Embassy in Tegucigalpa only processes DNA requests for approved petitions that have exhausted all other options to prove the biological relationship.

Joe: what are the phone number contact and your address to submit paperwork?

Vice Consul 2: We can be reached to answer your questions by phone at (504) 238 5114 ext 4287. We answer questions Monday through Thursday between 2:30 and 4:30pm. You can send documents by mail to us from Honduras. The address is US Embassy, Avenida La Paz, Tegucigalpa Honduras. You can also send documents to us from the United States. The correct address to us is Immigrant Visa Section, UNIT 3480, BOX 209, APO, AA, 34022. Please include your name and case number on every package you send

Britney Myers: I went with my husband all the way down to Honduras for his interview only to find out that he has to wait 5 years before he can come back to America. I am going thru hard times here, my husband supported our family. Is there anything I can do to speed up the process?

Vice Consul 2: If an applicant has been refused under the 6BR section of the US Immigration Law, the ban must expire before any further processing of a case begin. The ban will expire 5 years from the date the applicant returned back to their home country. At that point the applicant must call the US Embassy and request that his case be re activated

Michele 2: If the Waiver is approved, the USC is not notified about the Visa, just the Immigrant in Honduras? And only by phone? No Letter?

Vice Consul 1: Once the waiver is approved by DHS, the petitioner is notified via letter and the beneficiary is notified via phone as well.

Mrs. Pineda: I just received notification that my DNA kit has arrived at the embassy. When can my relatives come in for an appointment?

Vice Consul 2: Once we receive the DNA kit, we will call the petitioner or the beneficiary to schedule the appointment. We schedule appointments in the order

that they were received. There is no need to contact us to request an appointment

Vice Consul 1: To address an earlier question posted by Cecelia, please note that your husband must first become U.S. Citizen before he can petition his sister. We apologize for the confusion.

Guest 2: My husband , the beneficiary , would like to go ahead and work on his vaccines before he goes to the medical examination in Tegucigalpa. Where can I get information on what vaccines he needs?

Vice Consul 2: There are three doctors that the US Embassy works with for completing the medical exams. They are all located in Tegucigalpa. Any of them can provide you with the information on how to proceed with completing your medical evaluations

Gypsy: My wife has been raising a little boy since he was 2 yrs old. He is practically our son. We do not know where his parents are. As a U.S. citizen, can I petition him?

Vice Consul 1: In order for an I-130 petition to be valid, there has to be a qualifying relationship between the petitioner and the beneficiary (biological children, stepchildren and adoptive children). If the little boy was not legally adopted under Honduran law, the petition is invalid.

Isidra Guillen: About how long will it take to get the process finished on an approved I-130 approved petition, once you have been given an appointment?

Vice Consul 1: The length of the process depends on many factors and on the classification of the visa that is being sought. On average, however, the process for minor children, spouses, or parents of American Citizens will take about 10 months, For all other classification, the process will take a number of years.

Jorge: I missed my appointment for my visa interview, how can I reschedule?

Vice Consul 1: Please contact the Immigrant Visa Section via e-mail at tggiv@state.gov with the beneficiary's name and case number which begins with the letters "TGG." After we received the notification from the applicant or petitioner that the appointment was missed, the waiting time for rescheduling is within two to three months.

Yegsy: My entire family member received USA permanent residency (green card) on July 2004. But since then, my family never returned to the USA again. Is my green card still valid?

Vice Consul 2: No, if you are a Legal Permanent Resident, and are out of the country for more than one year, the Department of Homeland Security considers that you have abandoned your residency and your green card is no longer valid. To make it effective again, you must contact DHS and reapply for admission to the US.

Guest: in conjunction to the question by guest 2 about I-864 form...if the petitioner does not qualify to support the beneficiary, i.e. doesn't make enough money, does the petitioner still need to fill out the form. In my case I am a us citizen in Honduras, so my W2 forms are extremely low.

Vice Consul 3: Yes, all petitioners must fill out the I-864 Affidavit of Support with all of the supporting tax documents. If someone does not work and does not

file taxes in the US then they need to submit a letter explaining why they do not file taxes in the US.

Julia Ferrera: My husband received a notification that the waiver was approved but when I contact the visa section they say that we need to wait for an administrative processing. Would you please explain since the waiting period has been almost a year and now I need to wait for more time?

Vice Consul 3: Before visa issuance all actions must be complete on the case. You will be notified when the visa is ready to be issued. An approved waiver from the department of homeland security is only one piece.

Vice Consul 1: Thank you everyone for your participation. We hope you have found useful information regarding the Immigrant Visa process. If you are looking for additional information, please be sure to visit our website: <http://honduras.usembassy.gov>. We will be posting the transcript of the webchat in English and Spanish on our website very soon. Thank you and have a great day!